

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

GAYLON CLARK,)	CASE NO.: 1:17-cv-978
)	
Petitioner,)	JUDGE JOHN ADAMS
)	
vs.)	
)	
LASHANN EPPINGER, Warden,)	<u>ORDER AND DECISION</u>
)	
Respondent.)	
)	

On April 23, 2018, Magistrate Judge Greenberg submitted a Report and Recommended Decision (“R&R”) addressing the underlying petition for writ of habeas corpus pursuant to 28 U.S.C. 2254. Doc. 7. The Magistrate Judge recommended that the Court grant Respondent’s motion to dismiss the habeas petition as time-barred. To date, Petitioner has not filed any objections. Thus, upon due consideration and no objections having been filed by the parties, the Court adopts the R&R and incorporates it herein. Therefore, it is ordered that Respondent’s motion to dismiss is GRANTED, and the habeas petition is hereby DISMISSED in its entirety with prejudice.

Pursuant to 28 U.S.C § 1915(a)(3), the Court certifies that Petitioner may not take an appeal from the Court’s decision in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

May 31, 2018

/s/ John R. Adams
JUDGE JOHN R. ADAMS
UNITED STATES DISTRICT JUDGE